

REMARKS

Applicants have carefully studied the outstanding Office Action. The present amendment is intended to place the application in condition for allowance and is believed to overcome all of the objections and rejections made by the Examiner. Favorable reconsideration and allowance of the application are respectfully requested.

Applicants have amended claims **38** and **48** to more properly claim the present invention. No new matter has been introduced. Claims **38 – 57** are presented for examination.

In paragraphs 4 - 16 of the Office Action, the Examiner has rejected claims **38 – 57** under 35 U.S.C. §103(a) as being unpatentable over Ng, U.S. Patent No. 6,640,301 ("Ng") in view of Kara, U.S. Patent No. 6,158,003 ("Kara").

Claim Rejections – 35 U.S.C. §103

The prior art of Ng was discussed in applicants' response filed on March 5, 2010.

Kara relates to certification of transmitted electronic documents (Kara/ col. 4, line 45 – col. 5, line 49). A Send program assigns a first cipher to a document sent by a sender (Kara/ step 3007 of FIG. 3A; step 4007 of FIG. 4A; step 5007 of FIG. 5A), and a Receive program generates a second cipher for the received document (Kara/ step 3207 of FIG. 3C; step 4210 of FIG. 4C; step 5208 of FIG. 5B). The first and second ciphers include a checksum of the document. A Certification program verifies that the checksum of the document as received matches the checksum of the document as sent (Kara/ step 3112 of FIG. 3B; step 4109 of FIG. 4B). Upon a match, the Certification program generates

indicia of certification, which is transmitted to the recipient and to the sender for proof of certified transmission (Kara/ steps 3116 and 3118 of FIG. 3B). The certification indicia include the checksum of the document, a date and time of receipt, and identification of the sender and recipient. The Receive program integrates the certification indicia to appear within the document (Kara/ col. 12, lines 36 – 40).

I. Ng fails to disclose limiting access of a document to authorized recipients.

Fundamentally, Ng relates to e-mail message authentication, whereas the claimed invention relates to document access control and tracking. In rejecting the independent claims, the Examiner has cited Ng as disclosing limiting access of an electronic document to authorized recipients. Applicants respectfully submit that Ng certifies e-mail to be authentic, but does not limit access of e-mail to authorized recipients. The Examiner has cited FIG. 7 of Ng, but this figure relates to message verification, and not to limiting access.

In his Advisory Action of March 24, 2010, the Examiner has indicated that the term “limiting access” is broad enough to read on Ng’s sending an e-mail to a specific user. Applicants respectfully disagree with the Examiner’s interpretation, but nevertheless, to further clarify this distinction, applicants have amended the independent claims to include the limitation of blocking access to a document from unauthorized recipients.

II. Kara fails to disclose a control mark that cannot be changed by a word processor.

Kara, too, fundamentally relates to document certification, whereas the claimed invention relates to document access

control and tracking. Kara employs a different approach than the claimed invention, and the certification indicia of Kara is easily removed from a document. Of course, if the indicia were removed, then the document would no longer have its certification. Thus, at col. 26, lines 61 – col. 27, line 7 Kara indicates that the certification indicia may be packaged in a graphical representation such as a bar code. Such a graphic is difficult to forge, but it can easily be removed from a document, by simply issuing a delete instruction to a document word processor. In distinction, the control mark of the claimed invention cannot be removed from the document by a word processor.

In rejecting the independent claims, the Examiner has cited Kara as disclosing a control mark that remains unchanged within an electronic document. Applicants respectfully submit that Kara's indicia of certification can be removed from a document by a word processor, whereas the control mark of the claimed invention cannot be removed from a document by a word processor.

To further clarify this distinction, applicants have amended the independent claims to include the limitation that the control mark that is embedded within a document, cannot be changed or removed from the document by a document word processor.

The rejections of claims **38 - 57** in Paragraphs 4 – 16 of the Office Action will now be dealt with specifically.

As to amended independent method claim **38**, applicants respectfully submit that the limitations in claim **38** of
"embedding a control mark within an electronic document created by a document word processor, wherein the control mark cannot be changed or removed by the document word processor", and

"monitoring ... to block access to the electronic document from unauthorized recipients"

are neither shown nor suggested in Ng and Kara.

Because claims **39 – 47** depend from claim **38** and include additional features, applicants respectfully submit that claims **39 – 47** are not anticipated or rendered obvious by Ng, Kara or a combination of Ng and Kara.

Accordingly claims **38 – 47** are deemed to be allowable.

As to amended independent claim **48** for a computer readable storage medium, applicants respectfully submit that the limitations in claim **48** of

"an auto-marking module for embedding a control mark within an electronic document created by a document word processor, wherein the control mark cannot be changed or removed by the document word processor", and

"a traffic monitor ... to block access to the electronic document from unauthorized recipients"

are neither shown nor suggested in Ng and Kara.

Because claims **49 – 57** depend from claim **48** and include additional features, applicants respectfully submit that claims **49 – 57** are not anticipated or rendered obvious by Ng, Kara or a combination of Ng and Kara.

Accordingly claims **48 – 57** are deemed to be allowable.

Support for Amended Claims in Original Specification

Independent method claim **38** and independent system claim **48** have been amended to include the limitation of blocking access to a document from unauthorized recipients. This limitation is supported in the original specification at least at page 2, lines 28 – 31, at page 10, lines 13 – 19 with reference to Policy Enforcer 187 of FIG. 1, and at page 10, lines 34 - 40 with reference to step 240 of FIG. 2.

Independent method claim **38** and independent system claim **48** have been also amended to include the limitation that the control mark that is embedded within a document, cannot be changed or removed from the document by a document word processor. This limitation is supported in the original specification at least at page 2, lines 8 – 11, at page 8, lines 15 – 27, and at page 9, lines 31 – 33.

CONCLUSION

The undersigned representative respectfully submits that this application is in condition for allowance, and such disposition is earnestly solicited. If the Examiner believes that the prosecution might be advanced by discussing the application with the undersigned representative, in person or over the telephone, we welcome the opportunity to do so. In addition, if any additional fees are required in connection with the filing of this response, the Commissioner is hereby authorized to charge the same to Deposit Account No. 504402.

Respectfully submitted,

Date: September 29, 2010
KING & SPALDING LLP
1700 Pennsylvania Avenue, NW
Washington, D.C. 20006-4706
(202) 737-0500

By: /Eric L. Sophir, Reg. #48,499/
Eric L. Sophir
Registration No. 48,499